Pending Cases of Compensation to Bhopal Gas Tragedy Victims

390. SHRI AJIT P. K. JOGI: Will the Minister of INDUSTRY be pleased to refer to answer to the Unstarred Questions 994 and 1800 given in the Rajya Sabha on the 5th May, 1986 and 11th August, 1986 respectively and state:

(a) how many cases of compensation are still pending in various courts in regard to the Union Carbide gas disaster of Bhopal;

(b) what is the progress of these cases and by when the victims of the aforesaid tragey are likely to get the compensation; and

(c) whether Government are taking any fresh steps to expedite the disposal of these cases?

THE MINISTER OF INDUSTRY (SHRI J. VENGAL RAO): (a) to (c) The Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985, confers upon the Government the exclusive right to represent and act within or outside India for every person who has made or is entitled to make a claim. The Government of India filed a complaint against UCC in the U.S. Federal District Court, Southern District of New York for recovering damages on behalf of all the victims and persons affected by the Bhopal Gas Leak Disaster. Following the dismissal of this case on grounds of forum non conveniens, a suit was filed by Union of India on behalf of all the claimants in the Court of District Judge, Bhopal.

The District Judge Bhopal has since dismissed the interlocutery application of UCC regarding stay of the proceedings and 'election of forum' by Government of India. On an application filed by Government in the Court of District Judge, Bhopal to restrain Union Carbide Corporation from disposing of its assets, the court directed Union Carbide Corporation (UCC) to maintain unencumbered assets of a fair market value of $ 3 billion to meet the decree, if any, that may be passed by the court and has given directions to both the parties regarding preservation of evidence relating to the case.

The Government has also moved an application before the Court for taking up on priority basis, preliminary legal issues on liability of UCC as a multinational enterprise/corporation and holding company to pay damages to the victims and non-maintainability of counter-claim by UCC against Union of India and Government of Madhya Pradesh on the ground of sovereign immunity.

Payment of compensation to the victims could be made only if the case against Union Carbide is decided in favour of Government. The case is in progress and is being pursued vigorously.

Cooking Gas Facility in U. P.

391. DR. MOHD. HASHIM KIDWAI: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) the number of cities and towns of Uttar Pradesh which have been provided with cooking gas facilities till June, 1987; and

(b) by when the remaining cities and towns are likely to be provided with this facility?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (SHRI BRAHM DUTT): (a) Till June 1987, 109 cities and towns of Uttar Pradesh having population of 20,000 and above have been provided with LPG facility.

(b) 57 towns having population of 20,000 and above are yet to be provided with LPG facility. Out of these, 48 towns have already been included in the various Marketing Plans of the